

Notice of Allowability

Application No.

09/725,406

Applicant(s)

GOLDSTEIN, STEVEN

Examiner

Vivek D. Koppikar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicants' amendment received on 4/11/2006.
2. ☒ The allowed claim(s) is/are 1-27,33,34,37,38 and 42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

1. This communication is in response to the amendment filed on April 11, 2006. Claims 1-27, 33-34, 37-38 and 42 are pending. The rejection previously made under 35 U.S.C. 103(a) has been withdrawn by the examiner based on changes made by the Applicant to the claims in the aforementioned amendment.

Allowable Subject Matter

3. Claims 1-27, 33-34, 37-38 and 42 are allowable over the prior art of record.
4. The following is an examiner's statement of reasons for allowance:

As per claims 1-22 and 38 the prior art of record (Bro, Joao and Boyer) does not teach or suggest a system for providing support and care to persons for considering or undergoing a medical procedure comprising a means for paying a portion of a fee charged by a medical practitioner for the medical procedure to a third party provider in exchange for the third party bringing together the person and the medical provider for the medical procedure which is financed by the third party provider. The prior art (Bro, Joao and Boyer) collectively teaches a means for a third party to receive, process and provide information between at least one person and at least one medical practitioner, however, the prior art does not teach the step wherein the third party provider is paid a portion of the fee charged by a medical practitioner in exchange for the third party provider bringing together the person (patient) and the medical provider for the medical procedure which is financed by the third party provider.

As per claims 37 the prior art of record (Bro, Joao and Boyer) does not teach or suggest a system for providing support and care to persons for considering or undergoing a medical

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procedure comprising a means for paying a portion of a fee charged by a medical practitioner for the medical procedure to a third party provider in exchange for the third party bringing together the person and a means for the third party provider to schedule and coordinate post-operative appointments between patients and medical practitioners and monitoring patient adherence to medical practitioners care orders and medicament prescriptions. The prior art (Bro, Joao and Boyer) collectively teaches a means for a third party to receive, process and provide information between at least one person and at least one medical practitioner, however, the prior art does not teach the step wherein the third party provider is paid a portion of the fee charged by a medical practitioner in exchange for the third party provider bringing together the person (patient) and the medical provider for the medical procedure which is financed by the third party provider.

As per claims 23-27, 33-34 and 42 the prior art of record (Bro, Joao and Boyer) does not teach or suggest a method executing on a web server for a third party provider to provide pre and post procedure support and care to persons considering or undergoing medical procedures, the method of the third party provider comprising the step of paying a portion of the fee charged by a medical practitioner for the medical procedure to the third party provider in exchange for the third party provider bringing together the person (patient) and the medical provider for the medical procedure which is financed by a third party provider. The prior art of record (Bro, Joao and Boyer) merely teaches a step of receiving, processing and providing information between at least one person and at least one medical practitioner.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquire concerning this communication or earlier communications from the examiner should be directed to Vivek Koppikar, whose telephone number is (571) 272-5109. The examiner can normally be reached from Monday to Friday between 8 AM and 4:30 PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (571) 272-6776. The fax telephone numbers for this group are either (571) 273-8300 or (703) 872-9326 (for official communications including After Final communications labeled "Box AF").

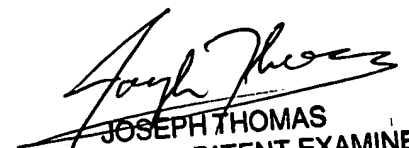
Another resource that is available to applicants is the Patent Application Information Retrieval (PAIR). Information regarding the status of an application can be obtained from the (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAX. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please feel free to contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sincerely,

Vivek Koppikar



4/26/2006



JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER